

REMARKS/ARGUMENTS

In the Office Action dated December 31, 2009, the Examiner has restricted the present application to the following patentably distinct species, with claim 1 being indicated as generic:

Group 1, claims 2-3 directed to “a device according to the current claim 1, the conveying carriage having at least one arm, to the outer end of which the mounting frame is rotatably or pivotably attached and which, at its opposite, inner end, can be rotated or pivoted about a second axis of rotation or pivot axis.”

Group 2, claims 4-12, directed to “a device according to the current claim 1, the device comprising a container which is open towards the conveying plane of the conveying system and the interior of which can be acted upon the electromagnetic radiation from at least one emitter.”

Group 3, claims 13-18, directed to “a device according to the current claim 1, it being possible to supply a protective gas to the container interior.”

Group 4, claims 19-22, directed to “a device according to the current claim 1, various means being provided for reflecting the electromagnetic radiation.”

Group 5, claims 23-29, directed to “a device according to the current claim 1, the device comprising a cab housing that prevents the uncontrolled discharge of gases and electromagnetic radiation.”

Group 6, claims 30-39, directed to “a device according to the current claim 1, there being arranged upstream of the at least one emitter in the conveying direction a measuring station which can detect three-dimensional shape data of the object.”

Group 7, claim 40, directed to “UV light.”

Group 8, claim 41, directed to “IR light.”

By this response Applicant provisionally elects, with traverse, Group I which relates to claims 2-3. Applicant submits that since claims 2-41 are all directed towards the sub-species of the invention embodied in claim 1, a search covering all of sub-species could be completed without undue effort.

In view of the above election, claims 4-41 have been withdrawn. Applicant respectfully reserves the right to file divisional applications directed towards the non-elected species.

Applicant reserves the right to include any of the withdrawn claims in the event that a generic claim is allowed.

CONCLUSION

Applicant believes that no additional charges or fees are required with this communication; however, if any additional charges or fees are required with this communication, the applicant authorizes that such charges or fees may be paid out of our Deposit Account No. 50-0545.

Applicant submits that all of the issues raised in the Office Action have been addressed, and if anything further is needed, a telephone call to the undersigned at (312) 226-1818 is requested.

Respectfully submitted,

Dated: January 18, 2010

/Patrick J. Smith/
Patrick J. Smith, Reg. No. 65,626
One of Applicant's Attorneys